

**U.S. District Court – District of Colorado
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:14-cv-02784-RPM**

San Juan Citizens Alliance, Inc. v. Bureau of Land Management
Assigned to: Judge Richard P. Matsch
Cause: 05:552 Freedom of Information Act

Date Filed: 10/10/2014
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act of 1974
Jurisdiction: U.S. Government Defendant

Plaintiff

San Juan Citizens Alliance, Inc.
a Colorado non-profit corporation

represented by **Travis Earl Stills**
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V.

Defendant

Bureau of Land Management
an agency of the U.S. Department of Interior

represented by **Zeyen Julian Wu**
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TERMINATED: 12/20/2016

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| Date Filed | # | Docket Text |
|------------|-----------|---|
| 10/10/2014 | <u>1</u> | COMPLAINT against All Defendants (Filing fee \$ 400, Receipt Number 1082-4086934) Attorney Allison N. Melton added to party San Juan Citizens Alliance, Inc.(pty:pla), filed by San Juan Citizens Alliance, Inc.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Civil Cover Sheet Civil Cover Sheet Attachment, # <u>3</u> Corporate Disclosure Form, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Melton, Allison) (Entered: 10/10/2014) |
| 10/10/2014 | <u>2</u> | Case assigned to Magistrate Judge Boyd N. Boland Text Only Entry (dbera,) (Entered: 10/10/2014) |
| 10/10/2014 | <u>3</u> | SUMMONS issued by Clerk. Magistrate Judge Consent Form issued pursuant to Magistrate Judge Pilot Project to Assign Civil Cases to Full Time Magistrate Judges (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Magistrate Judge Consent Form) (dbera,) (Entered: 10/10/2014) |
| 10/24/2014 | <u>4</u> | CERTIFICATE of Mailing/Service by Plaintiff San Juan Citizens Alliance, Inc.. (Attachments: # <u>1</u> Certified mail receipts)(Melton, Allison) (Entered: 10/24/2014) |
| 10/27/2014 | <u>5</u> | ORDER by Magistrate Judge Boyd N. Boland on 10/27/14 Setting Rule 16(b) Scheduling Conference and Rule 26(f) Planning Meeting. Scheduling Conference set for 2/26/2015 11:00 AM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. (nmarb,) (Main Document 5 replaced on 10/27/2014) (nmarb,). Modified on 10/27/2014 to replace document with amended document showing correct year of hearing. (nmarb,). (Entered: 10/27/2014) |
| 10/30/2014 | <u>6</u> | NOTICE of Entry of Appearance by Katherine Mesenbring Field on behalf of Bureau of Land Management Attorney Katherine Mesenbring Field added to party Bureau of Land Management(pty:dft) (Field, Katherine) (Entered: 10/30/2014) |
| 11/21/2014 | <u>7</u> | WITHDRAWN MOTION to Dismiss for Failure to State a Claim by Defendant Bureau of Land Management. (Attachments: # <u>1</u> Appendix)(Field, Katherine) (Modified on 1/5/2015 Withdrawn pursuant to the <u>24</u> Order)(evana,). (Entered: 11/21/2014) |
| 11/24/2014 | <u>8</u> | MINUTE ORDER by Magistrate Judge Boyd N. Boland on 11/24/14. A Status Conference is set for 12/11/2014 03:00 PM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. The Status Conference will be vacated upon the filing of a completed Consent Form. (bsimm,) (Entered: 11/24/2014) |
| 11/24/2014 | <u>9</u> | NOTICE of Entry of Appearance by Zeyen Julian Wu on behalf of Bureau of Land Management Attorney Zeyen Julian Wu added to party Bureau of Land Management(pty:dft) (Wu, Zeyen) (Entered: 11/24/2014) |
| 11/28/2014 | <u>10</u> | MOTION to Withdraw as Attorney by Defendant Bureau of Land Management. (Field, Katherine) (Entered: 11/28/2014) |
| 12/01/2014 | <u>11</u> | MINUTE ORDER by Magistrate Judge Boyd N. Boland on 12/1/14 re: <i>Motion to Withdraw as Counsel</i> <u>10</u> . The Motion is GRANTED. Katherine Mesenbring Field is granted leave to withdraw from representation of defendant and is to be removed from the electronic service. (bsimm,) (Entered: 12/01/2014) |

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| 12/02/2014 | <u>12</u> | CONSENT to Jurisdiction of Magistrate Judge by Plaintiff San Juan Citizens Alliance, Inc.. (Melton, Allison) (Entered: 12/02/2014) |
| 12/02/2014 | <u>13</u> | MINUTE ORDER by Magistrate Judge Boyd N. Boland on 12/2/14. Pursuant to the filing of the Consent Form Pursuant to Pilot Program <u>12</u> , IT IS ORDERED that the Status Conference set for 12/11/2014, and the Scheduling Conference set for 2/26/2015, are VACATED. (bsimm,) (Entered: 12/02/2014) |
| 12/03/2014 | 14 | CASE REASSIGNED pursuant to <u>12</u> Consent to Jurisdiction of Magistrate Judge. Consent not achieved. This case is reassigned to Judge Richard P. Matsch. All future pleadings should be designated as 14-cv-02784-RPM-BNB. (Text Only Entry) (nmarb,) (Entered: 12/03/2014) |
| 12/12/2014 | <u>15</u> | RESPONSE to <u>7</u> MOTION to Dismiss for Failure to State a Claim filed by Plaintiff San Juan Citizens Alliance, Inc.. (Attachments: # <u>1</u> Exhibit Exh. A November 21 2014 BLM Letter)(Melton, Allison) (Entered: 12/12/2014) |
| 12/12/2014 | <u>16</u> | WITHDRAWN Partial MOTION for Summary Judgment by Plaintiff San Juan Citizens Alliance, Inc.. (Attachments: # <u>1</u> Exhibit Exh. A November 21 2014 BLM Letter, # <u>2</u> Proposed Order (PDF Only))(Melton, Allison) (Modified on 1/5/2015 Withdrawn pursuant to the <u>24</u> Order)(evana,). (Entered: 12/12/2014) |
| 12/22/2014 | <u>17</u> | WITHDRAWN MOTION for Extension of Time to File Response/Reply as to <u>7</u> MOTION to Dismiss for Failure to State a Claim by Defendant Bureau of Land Management. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Wu, Zeyen) (Modified on 1/5/2015 Withdrawn pursuant to the <u>24</u> Order)(evana,). (Entered: 12/22/2014) |
| 12/22/2014 | <u>18</u> | WITHDRAWN MOTION for Extension of Time to File Response/Reply as to <u>16</u> Partial MOTION for Summary Judgment by Defendant Bureau of Land Management. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Wu, Zeyen)(Modified on 1/5/2015 Withdrawn pursuant to the <u>24</u> Order) (evana,). (Entered: 12/22/2014) |
| 12/22/2014 | <u>19</u> | RESPONSE to <u>17</u> MOTION for Extension of Time to File Response/Reply as to <u>7</u> MOTION to Dismiss for Failure to State a Claim , <u>18</u> MOTION for Extension of Time to File Response/Reply as to <u>16</u> Partial MOTION for Summary Judgment filed by Plaintiff San Juan Citizens Alliance, Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Stills, Travis) (Entered: 12/22/2014) |
| 12/23/2014 | <u>20</u> | REPLY to Response to <u>17</u> MOTION for Extension of Time to File Response/Reply as to <u>7</u> MOTION to Dismiss for Failure to State a Claim , <u>18</u> MOTION for Extension of Time to File Response/Reply as to <u>16</u> Partial MOTION for Summary Judgment filed by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 12/23/2014) |
| 12/24/2014 | <u>21</u> | ORDER that on Monday, December 29, 2014, counsel for the parties will be contacted to set a date and time for a hearing on the motions to extend time and Mr. Wu shall inform the United States Attorney John Walsh of the need for this hearing and the need for his personal appearance at the hearing to explain the assignment of this matter within his office, by Judge Richard P. Matsch on 12/24/2014. (evana,) (Entered: 12/24/2014) |
| 12/29/2014 | <u>22</u> | MINUTE ORDER Pursuant to the Order for Hearing on Defendants Motions to Extend Time <u>21</u> , the motions for extension of time Docs. <u>17</u> & <u>18</u> are set for hearing at 10:30 a.m. on January 7, 2015, in Courtroom A, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 12/29/2014. (evana,) (Entered: 12/29/2014) |
| 01/05/2015 | <u>23</u> | Joint MOTION to Withdraw Document 7, 16, 17, and 18, Joint MOTION to Vacate <i>January 7, 2015 Hearing (Doc. 21)</i> by Defendant Bureau of Land Management. (Traskos, Kevin) (Entered: 01/05/2015) |
| 01/05/2015 | <u>24</u> | ORDER Upon review of the expedited joint motion to withdraw several motions Docs. <u>7</u> , <u>16</u> , <u>17</u> , and <u>18</u> and vacate the January 7, 2015, hearing <u>23</u> , it is ORDERED that the motion is granted. It is FURTHER ORDERED that the Defendant shall file an answer to the Complaint on or before January 21, 2015. The Court will set a scheduling conference upon notice of availability of counsel, by Judge Richard P. Matsch on 1/5/2015.(evana,) (Entered: 01/05/2015) |

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| 01/08/2015 | <u>25</u> | ORDER that a scheduling conference will be held on February 12, 2015, at 10:00 a.m. in the Conference Room, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 1/8/2015. (evana,) (Entered: 01/08/2015) |
| 01/20/2015 | <u>26</u> | ANSWER to <u>1</u> Complaint, by Bureau of Land Management.(Wu, Zeyen) (Entered: 01/20/2015) |
| 01/21/2015 | <u>27</u> | <i>Amended</i> ANSWER to <u>1</u> Complaint, by Bureau of Land Management.(Wu, Zeyen) (Entered: 01/21/2015) |
| 02/12/2015 | <u>28</u> | COURTROOM MINUTES for Scheduling Conference held before Judge Richard P. Matsch on 2/12/2015. A conference regarding completing the release of documents by the agency is set for 3/23/2015 at 10:00 AM in Conference Room before Judge Richard P. Matsch. FTR: K. Terasaki. (ebuch) (Entered: 02/12/2015) |
| 03/18/2015 | <u>29</u> | Joint MOTION to Vacate <u>28</u> Scheduling Conference,, Set/Reset Hearings, <i>March 23, 2015 Conference</i> by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 03/18/2015) |
| 03/19/2015 | <u>30</u> | ORDER granting <u>29</u> joint motion to vacate the March 23, 2015 conference, by Judge Richard P. Matsch on 3/19/15. (ktera) (Entered: 03/19/2015) |
| 06/26/2015 | <u>31</u> | NOTICE of Change of Address/Contact Information by Allison N. Melton (Melton, Allison) (Entered: 06/26/2015) |
| 06/29/2015 | <u>32</u> | MOTION for Hearing/Conference by Plaintiff San Juan Citizens Alliance, Inc.. (Melton, Allison) (Entered: 06/29/2015) |
| 07/01/2015 | <u>33</u> | MINUTE ORDER A status conference <u>32</u> is set for 11:00 a.m. on July 14, 2015, in Courtroom A, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 7/1/15. (ktera) (Entered: 07/01/2015) |
| 07/14/2015 | <u>34</u> | COURTROOM MINUTES for Status Conference held before Judge Richard P. Matsch on 7/14/2015. On or before July 24, 2015, defendant shall provide to plaintiff a Vaughn index and declarations under pains and penalties of perjury verifying the non-existence of records. On or before August 20, 2015, plaintiff shall file an amended complaint specifically alleging factually claims and a period of time of pattern and practice as set forth on the record. FTR: K. Terasaki. (ebuch) (Entered: 07/14/2015) |
| 08/20/2015 | <u>35</u> | First AMENDED COMPLAINT against Bureau of Land Management, filed by San Juan Citizens Alliance, Inc.. (Attachments: # <u>1</u> Exhibit Declaration of Ms. Vigil, # <u>2</u> Exhibit Declaration of Ms. Joe)(Melton, Allison) (Entered: 08/20/2015) |
| 09/08/2015 | <u>36</u> | Partial MOTION to Dismiss for Failure to State a Claim <i>on Claims Two and Three Only</i> by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 09/08/2015) |
| 09/29/2015 | <u>37</u> | RESPONSE to <u>36</u> Partial MOTION to Dismiss for Failure to State a Claim <i>on Claims Two and Three Only</i> filed by Plaintiff San Juan Citizens Alliance, Inc.. (Stills, Travis) (Entered: 09/29/2015) |
| 10/15/2015 | <u>38</u> | REPLY to Response to <u>36</u> Partial MOTION to Dismiss for Failure to State a Claim <i>on Claims Two and Three Only</i> filed by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 10/15/2015) |
| 11/10/2015 | <u>39</u> | MINUTE ORDER The partial motion to dismiss <u>36</u> is set for hearing at 11:00 a.m. on December 3, 2015, in Courtroom A, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 11/10/15. (ktera) (Entered: 11/10/2015) |
| 12/03/2015 | <u>40</u> | MINUTE ENTRY for proceedings held before Senior Judge Richard P. Matsch: Motion Hearing held on 12/3/2015. Denying <u>36</u> Motion to Dismiss for Failure to State a Claim. Bureau of Land Management answer due 1/15/2016. Scheduling Conference set for 2/12/2016 10:00 AM in Courtroom A before Judge Richard P. Matsch. FTR: K. Terasaki. (rkeec) (Entered: 12/03/2015) |

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| 12/07/2015 | <u>41</u> | ORDER SETTING SCHEDULING CONFERENCE Pursuant to the hearing held on December 3, 2015 <u>40</u> , a scheduling conference will be held on February 12, 2016, at 10:00 a.m. in the Conference Room, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado.. The proposed order (original only) on paper, shall be submitted directly to chambers by 4:00 p.m. on February 4, 2016. The conference is conducted with lead counsel present in person. No parties or representatives of parties will be permitted to attend, by Judge Richard P. Matsch on 12/7/15. (ktera) (Entered: 12/07/2015) |
| 12/15/2015 | <u>42</u> | TRANSCRIPT of Motion Hearing held on December 3, 2015 before Matsch. Pages: 1–29. Prepared by: Federal Reporting Service Inc. NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Federal Reporting Service, Inc.,) (Entered: 12/15/2015) |
| 01/14/2016 | <u>43</u> | ANSWER to <u>35</u> Amended Complaint by Bureau of Land Management.(Wu, Zeyen) (Entered: 01/14/2016) |
| 02/12/2016 | <u>44</u> | COURTROOM MINUTES for Scheduling Conference held before Judge Richard P. Matsch on 2/12/2016. The Court bifurcates claims 1 and 3. Pattern and practice is delayed at this time and counsel will focus on resolving the February 2014 and beyond FOIA requests and the declarations of Eileen Vigil and Maureen Joe through the taking of depositions. Counsel agree to a cooperative approach and shall tune the email archive searches to the persons being deposed. The Court intends to have an evidentiary hearing after the depositions are taken. Depositions may be reopened if necessary during the pattern and practice phase. FTR: K. Terasaki. (ebuch) (Entered: 02/12/2016) |
| 02/29/2016 | <u>45</u> | TRANSCRIPT of Scheduling Conference held on February 12, 2016 before Matsch. Pages: 1–47. Prepared by: Federal Reporting Service, Inc. NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Federal Reporting Service, Inc.,) (Entered: 02/29/2016) |
| 03/04/2016 | <u>46</u> | SCHEDULING ORDER by Judge Richard P. Matsch on 3/4/16. (ktera) (Entered: 03/04/2016) |
| 05/19/2016 | <u>47</u> | MOTION to Amend/Correct/Modify <u>46</u> Scheduling Order <i>to Extend Deadline to Produce Responsive Documents</i> by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 05/19/2016) |
| 05/19/2016 | <u>48</u> | Exhibits in Support of <u>47</u> MOTION to Amend/Correct/Modify <u>46</u> Scheduling Order <i>to Extend Deadline to Produce Responsive Documents</i> by Defendant Bureau of Land Management. (Attachments: # <u>1</u> Exhibit 2 Defendant's Response, # <u>2</u> Exhibit 3 Plaintiff's Reply)(Wu, Zeyen) (Entered: 05/19/2016) |
| 05/23/2016 | <u>49</u> | RESPONSE to <u>47</u> MOTION to Amend/Correct/Modify <u>46</u> Scheduling Order <i>to Extend Deadline to Produce Responsive Documents</i> filed by Plaintiff San Juan Citizens Alliance, Inc.. (Attachments: # <u>1</u> Exhibit)(Stills, Travis) (Entered: 05/23/2016) |
| 05/25/2016 | <u>50</u> | MINUTE ORDER Defendant's Motion to Modify Scheduling Order <u>47</u> is set for hearing at 11:30 a.m. on June 9, 2016, in Courtroom A, Second Floor, the Byron |

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| | | White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 5/25/16. (ktera) (Entered: 05/25/2016) |
| 06/03/2016 | <u>51</u> | REPLY to Response to <u>47</u> MOTION to Amend/Correct/Modify <u>46</u> Scheduling Order to Extend Deadline to Produce Responsive Documents filed by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 06/03/2016) |
| 06/09/2016 | <u>52</u> | MINUTE ENTRY for Motion Hearing held before Judge Richard P. Matsch held on 6/9/2016. Resolving <u>47</u> Motion to Modify Scheduling Order. Hearing concluded. FTR: Kathy Terasaki. (kfinn) (Entered: 06/09/2016) |
| 07/21/2016 | <u>53</u> | TRANSCRIPT of Motions Hearing held on June 9, 2016 before Matsch. Pages: 1–31. Prepared by: Federal Reporting Service, Inc. NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Federal Reporting Service, Inc.,) (Entered: 07/21/2016) |
| 08/15/2016 | <u>54</u> | NOTICE of Entry of Appearance by Elizabeth Serio on behalf of Bureau of Land Management Attorney Elizabeth Serio added to party Bureau of Land Management(pty:dft) (Serio, Elizabeth) (Entered: 08/15/2016) |
| 08/15/2016 | <u>55</u> | MOTION for Protective Order by Defendant Bureau of Land Management. (Attachments: # <u>1</u> Exhibit 30(b)(6) Deposition Notice)(Wu, Zeyen) (Entered: 08/15/2016) |
| 08/16/2016 | <u>56</u> | Joint STATUS REPORT by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 08/16/2016) |
| 09/08/2016 | <u>57</u> | RESPONSE to <u>55</u> MOTION for Protective Order filed by Plaintiff San Juan Citizens Alliance, Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Stills, Travis) (Entered: 09/08/2016) |
| 09/14/2016 | <u>58</u> | REPLY to Response to <u>55</u> MOTION for Protective Order filed by Defendant Bureau of Land Management. (Serio, Elizabeth) (Entered: 09/14/2016) |
| 12/07/2016 | <u>59</u> | ORDER FOR JOINT STATUS REPORT Counsel will file a joint status report on or before December 20, 2016, identifying the current status of discovery and what issues must be resolved by the Court at a hearing, by Judge Richard P. Matsch on 12/7/16. (ktera) (Entered: 12/07/2016) |
| 12/19/2016 | <u>60</u> | Joint STATUS REPORT by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 12/19/2016) |
| 12/19/2016 | <u>61</u> | MOTION to Withdraw as Attorney <i>Elizabeth G. Serio</i> by Defendant Bureau of Land Management. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Wu, Zeyen) (Entered: 12/19/2016) |
| 12/20/2016 | <u>62</u> | ORDER Granting <u>61</u> Motion to Withdraw as Attorney. Attorney Elizabeth Serio is withdrawn and NEFs terminated, by Judge Richard P. Matsch on 12/20/16. Text Only Entry (ktera) (Entered: 12/20/2016) |
| 01/25/2017 | <u>63</u> | MINUTE ORDER A conference on the Joint Status Report Doc. # <u>60</u> is set for 11:00 a.m. on February 10, 2017, in the Conference Room, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 1/25/17. (ktera) (Entered: 01/25/2017) |
| 02/07/2017 | <u>64</u> | NOTICE of Change of Address/Contact Information by Zeyen Julian Wu (Wu, Zeyen) (Entered: 02/07/2017) |
| 02/07/2017 | <u>65</u> | NOTICE of Change of Address/Contact Information by Kevin Thomas Traskos (Traskos, Kevin) (Entered: 02/07/2017) |

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| 02/10/2017 | <u>66</u> | COURTROOM MINUTES for Status Conference held before Judge Richard P. Matsch on 2/10/2017. Defendant shall submit a summary judgment motion on or before April 7, 2017, showing its compliance regarding the search. The motion shall be filed electronically and submitted in paper format to chambers. Plaintiff shall respond to the motion, including what it wishes to challenge, on or before May 2, 2017. An evidentiary hearing will be set by chambers via telephone after these documents are reviewed by the Court. FTR: K. Terasaki. (ebuch) (Entered: 02/10/2017) |
| 04/05/2017 | <u>67</u> | TRANSCRIPT of Status Conference held on July 14, 2015 before Matsch. Pages: 1–37. Prepared by: Federal Reporting Service, Inc. NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Federal Reporting Service, Inc.,) (Entered: 04/05/2017) |
| 04/05/2017 | <u>68</u> | TRANSCRIPT of Status Conference held on February 10, 2017 before Matsch. Pages: 1–27. Prepared by: Federal Reporting Service, Inc. NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Federal Reporting Service, Inc.,) (Entered: 04/05/2017) |
| 04/06/2017 | <u>69</u> | MOTION for Extension of Time to <i>Submit Motion for Summary Judgment</i> by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 04/06/2017) |
| 04/06/2017 | <u>70</u> | SUPPLEMENT/AMENDMENT to <u>69</u> MOTION for Extension of Time to <i>Submit Motion for Summary Judgment</i> by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 04/06/2017) |
| 04/07/2017 | <u>71</u> | ORDER Granting <u>69</u> Defendant's motion for extension of time, to and including April 11, 2017, to file a motion for summary judgment and to and including May 8, 2017, for plaintiff to respond, by Judge Richard P. Matsch on 4/7/17. (ktera) (Entered: 04/07/2017) |
| 04/11/2017 | <u>72</u> | MOTION for Summary Judgment by Defendant Bureau of Land Management. (Attachments: # <u>1</u> Exhibit 1 Declaration of Eileen Chavez, # <u>2</u> Exhibit 2 Declaration of Janelle Alleman, # <u>3</u> Exhibit 3 Declaration of Maureen Joe, # <u>4</u> Exhibit 4 Declaration of Jeffrey Tafoya, # <u>5</u> Exhibit 5 Declaration of Debra Yeager, # <u>6</u> Exhibit 6 Declaration of Anthony Irish, # <u>7</u> Exhibit 7 Vaughn Index, # <u>8</u> Exhibit 8 July 2015 Vigil Declaration, # <u>9</u> Exhibit 9 July 2015 Joe Declaration, # <u>10</u> Exhibit 10 BLM Instructional Memorandum, # <u>11</u> Exhibit 11 Transcript of July 14, 2015 Hearing, # <u>12</u> Exhibit 12 Doc 34 Minutes, # <u>13</u> Exhibit 13 Glade EA Timeline, # <u>14</u> Exhibit 14 Declaration of David Evans, # <u>15</u> Exhibit 15 Deposition Transcript of Michael Eisenfeld, # <u>16</u> Exhibit E–mail, # <u>17</u> Exhibit E–mail, # <u>18</u> Exhibit A Exhibits Pt 1 Response Letters, # <u>19</u> Exhibit A Exhibits Pt 2, # <u>20</u> Exhibit B Exhibits E–mails, # <u>21</u> Exhibit C Exhibits Pt 1 E–mails, # <u>22</u> Exhibit C Exhibits Pt 2, # <u>23</u> Exhibit C Exhibits Pt 3, # <u>24</u> Exhibit C Exhibits Pt 4, # <u>25</u> Exhibit D Exhibits)(Wu, Zeyen) (Entered: 04/11/2017) |
| 05/03/2017 | <u>73</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>72</u> MOTION for Summary Judgment by Plaintiff San Juan Citizens Alliance, Inc.. (Stills, Travis) (Entered: 05/03/2017) |

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| 05/04/2017 | <u>74</u> | ORDER Granting <u>73</u> plaintiff's motion for extension of time, to and including May 25, 2017, to respond to defendant's motion for summary judgment, by Judge Richard P. Matsch on 5/4/17. (ktera) (Entered: 05/04/2017) |
| 05/25/2017 | <u>75</u> | RESPONSE to <u>72</u> MOTION for Summary Judgment <i>and Request for Hearing on FOIA Matters</i> filed by Plaintiff San Juan Citizens Alliance, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Stills, Travis) (Entered: 05/25/2017) |
| 10/25/2017 | <u>76</u> | MINUTE ORDER Oral argument on Defendant's Motion for Summary Judgment Doc. # <u>72</u> is set for 2:30 p.m. on November 8, 2017, in Courtroom A, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 10/25/17. (ktera) (Entered: 10/25/2017) |
| 11/08/2017 | <u>77</u> | MINUTE ENTRY for Motion Hearing proceedings held before Judge Richard P. Matsch on 11/8/2017. ORDERED:Plaintiff counsel shall file their notice of interrogatories regarding the existence/non existence of specific categories of documents, by November 29, 2017. Defendants response is due by December 19, 2017. Pleadings shall be signed by counsel. FTR: K. Terasaki. (babia) (Entered: 11/08/2017) |
| 11/29/2017 | <u>78</u> | NOTICE re <u>77</u> Motion Hearing,, Terminate Hearings, <i>Discovery Requests</i> by Plaintiff San Juan Citizens Alliance, Inc. (Attachments: # <u>1</u> First Set of Written Discovery, # <u>2</u> Exhibit)(Stills, Travis) (Entered: 11/29/2017) |
| 12/15/2017 | <u>79</u> | MOTION for Extension of Time to <i>Respond to Plaintiff's Written Discovery Requests</i> by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 12/15/2017) |
| 12/21/2017 | <u>80</u> | RESPONSE to <u>79</u> MOTION for Extension of Time to <i>Respond to Plaintiff's Written Discovery Requests</i> filed by Plaintiff San Juan Citizens Alliance, Inc.. (Stills, Travis) (Entered: 12/21/2017) |
| 01/04/2018 | <u>81</u> | REPLY to Response to <u>79</u> MOTION for Extension of Time to <i>Respond to Plaintiff's Written Discovery Requests</i> filed by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 01/04/2018) |
| 01/29/2018 | <u>82</u> | ORDER Upon review of Defendant's motion for extension of time, to and including February 15, 2018, to respond to Plaintiff's discovery requests Doc. <u>79</u> , Plaintiff's response Doc. <u>80</u> and Defendant's reply Doc. <u>81</u> , it is ORDERED that the motion is granted, by Judge Richard P. Matsch on 1/29/2018. (evana,) (Entered: 01/29/2018) |
| 02/22/2018 | <u>83</u> | NOTICE re <u>77</u> Motion Hearing,, Terminate Hearings, <i>of Discovery Response</i> by Plaintiff San Juan Citizens Alliance, Inc. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit)(Stills, Travis) (Entered: 02/22/2018) |
| 02/26/2018 | <u>84</u> | TRANSCRIPT of TRANSCRIPT OF PROCEEDINGS held on 11/8/2017 before Judge Matsch. Pages: 1–58. Prepared by: AB Court Reporting & Video, Inc.. NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at www.cod.uscourts.gov. Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (AB Court Reporting & Video, Inc.,) (Entered: 02/26/2018) |
| 03/01/2018 | <u>85</u> | NOTICE of Filing of Defendant's Responses to Written Discovery by Defendant Bureau of Land Management (Attachments: # <u>1</u> Exhibit 1 Jan. 19, 2018 Objections, # <u>2</u> Exhibit 2 Feb. 12, 2018 Final Responses)(Wu, Zeyen) (Entered: 03/01/2018) |
| 03/01/2018 | <u>86</u> | Conventionally Submitted Material : Exhibit 3, 1 CD to <u>85</u> Notice of Defendant's Objections to Plaintiff's Written Discovery Requests by Defendant Bureau of Land Management. (Location: Clerk's Office) Text Only Entry (evana,) (Entered: 03/02/2018) |
| 04/05/2018 | <u>87</u> | ORDER FOR STATUS REPORT On or before April 16, 2018, the plaintiff will file a status report advising its position on how it intends to proceed, by Judge Richard P. |

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| | | Matsch on 4/5/2018. (ktera) (Entered: 04/05/2018) |
| 04/16/2018 | <u>88</u> | STATUS REPORT by Plaintiff San Juan Citizens Alliance, Inc.. (Stills, Travis) (Entered: 04/16/2018) |
| 04/26/2018 | <u>89</u> | Cross MOTION for Partial Summary Judgment by Plaintiff San Juan Citizens Alliance, Inc.. (Attachments: # <u>1</u> Chavez Transcript, # <u>2</u> Joe Transcript, # <u>3</u> Yeager Transcript)(Stills, Travis) (Entered: 04/26/2018) |
| 05/14/2018 | <u>90</u> | MOTION for Leave to <i>File Updated Motion for Summary Judgment</i> by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 05/14/2018) |
| 05/15/2018 | <u>91</u> | ORDER In reply to the plaintiff's summary judgment the defendant may include argument and discussion of any documents produced after the November 8, 2017, hearing, to avoid procedural confusion, by Judge Richard P. Matsch on 5/15/2018. (ktera) (Entered: 05/15/2018) |
| 05/17/2018 | <u>92</u> | RESPONSE to <u>89</u> Cross MOTION for Partial Summary Judgment filed by Defendant Bureau of Land Management. (Attachments: # <u>1</u> Exhibit 1 Deposition Corrections, May 5, 2016, # <u>2</u> Exhibit 2 January 2015 E-mail String, # <u>3</u> Exhibit 3 Declaration of Janelle Alleman, May 17, 2018, # <u>4</u> Exhibit 4 E-mail Releasing Documents)(Wu, Zeyen) (Entered: 05/17/2018) |
| 05/31/2018 | <u>93</u> | REPLY to Response to <u>89</u> Cross MOTION for Partial Summary Judgment filed by Plaintiff San Juan Citizens Alliance, Inc.. (Stills, Travis) (Entered: 05/31/2018) |
| 06/18/2018 | <u>94</u> | MINUTE ORDER Oral arguments on the motions for summary judgment Docs. # <u>72</u> , # <u>89</u> , & # <u>90</u> are set for 10:00 a.m. on July 24, 2018, in Courtroom A, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 6/18/2018. (ktera) (Entered: 06/18/2018) |
| 07/24/2018 | <u>95</u> | MINUTE ENTRY for proceedings held before Judge Richard P. Matsch: Motion Hearing held on 7/24/2018. ORDERED: Defendant's Motion for Leave to File Updated Motion for Summary Judgment <u>90</u> , Dendant's Motion for Summary Judgment <u>72</u> , and Plaintiff's Cross Motion for Summary Judgment <u>89</u> , are TAKEN UNDER ADVISEMENT. FTR: Kathy Terasaki (dhans,) (Entered: 07/24/2018) |
| 08/29/2018 | <u>96</u> | ORDERS ON CROSS-MOTIONS FOR SUMMARY JUDGMENT Defendant's motion for summary judgment Doc. <u>72</u> is denied as to claim one and granted with respect to the third claim which is dismissed. Plaintiff's cross-motion for summary judgment Doc. <u>89</u> is denied. Defendant's motion for leave to file updated motion for summary judgment Doc. <u>90</u> is moot, by Judge Richard P. Matsch on 8/29/2018. (ktera) (Entered: 08/29/2018) |
| 08/29/2018 | <u>97</u> | MINUTE ORDER Pursuant to the Court's Orders on Cross-Motions for Summary Judgment, a status conference is set for 10:30 a.m. on October 10, 2018, in the Conference Room, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 8/29/2018. (ktera) (Entered: 08/29/2018) |
| 10/10/2018 | <u>98</u> | MINUTE ENTRY for Status Conference proceedings held before Judge Richard P. Matsch on 10/10/2018. FTR: K. Terasaki. (babia) (Entered: 10/10/2018) |
| 10/15/2018 | <u>99</u> | Proposed Scheduling Order by Plaintiff San Juan Citizens Alliance, Inc.. (Stills, Travis) (Entered: 10/15/2018) |
| 10/15/2018 | <u>100</u> | ORDER <u>99</u> Approving the proposed schedule for litigating Claim 2, by Judge Richard P. Matsch on 10/15/2018. (ktera) (Entered: 10/15/2018) |
| 11/13/2018 | <u>101</u> | Joint MOTION to Amend/Correct/Modify <u>100</u> Order, <u>99</u> Proposed Scheduling Order by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 11/13/2018) |
| 11/14/2018 | <u>102</u> | ORDER granting the parties' joint motion to vacate the November 15, 2018, deadline to produce documents and to submit a status report on the progress of settlement or alternatively, submit a proposed schedule for litigating Claim 2 on December 20, 2018 <u>101</u> by Judge Richard P. Matsch on 11/14/18. (dkals,) (Entered: 11/14/2018) |
| 12/19/2018 | <u>103</u> | Joint STATUS REPORT and Notice of Settlement by Defendant Bureau of Land Management. (Wu, Zeyen) (Entered: 12/19/2018) |